
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 15, 2017.

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Great and Loving God, while we are most grateful for the Spring rains that have ended the drought across the entire state, we would also welcome an end to our streak of gloomy cold days.

Prayer.

Today we pray for the town in Massachusetts that has the fewest residents – Gosnold. Located in Vineyard Sound, southwest of Falmouth, Gosnold is an unusual town in that it is comprised of islands, namely the Elizabeth Islands. Most of the land is privately owned by one family and over half of the under-100 year-round residents live on Cuttyhunk Island. The town is named after Bartholmew Gosnold – a British explorer who began to explore the area on this day in 1602. It was Gosnold who named the long curved peninsula of Cape Cod after the large amount of cod fish found in the waters just off shore.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Statement of Representative Scibak of South Hadley.

A statement of Mr. Scibak of South Hadley was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for the sitting of Wednesday, May 10, 2017, due to a scheduling conflict. If I had been present I would have voted in the affirmative on all roll calls taken that day. My missing of roll calls on Wednesday last was due entirely to the reason stated.

Statement of
Mr. Scibak of
South Hadley.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Hill of Ipswich) congratulating John R. Sauriol on receiving the Eagle Award of the Boy Scouts of America;

John
Sauriol.

Resolutions (filed by Mr. Cassidy of Brockton and other members of the House) congratulating the Old Colony Planning Council on its fiftieth anniversary;

Old Colony
Planning Council.

Resolutions (filed by Mr. Durant of Spencer) congratulating Peter Fox on the occasion of his retirement from the Dudley Board of Selectman;

Peter
Fox.

Resolutions (filed by Mr. Naughton of Clinton) congratulating the Clinton Turners on their one hundred and fiftieth anniversary;

Clinton,—
Turners.

Resolutions (filed by Messrs. Smizik of Brookline, Coppinger of Boston, Sánchez of Boston and Moran of Boston) congratulating the third grade students at the Edward Devotion School in the town of Brookline on their participation in the thirty-third annual JFK Essay and Poetry Program;

Brookline,—
Devotion
School.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Victor T. Chung on receiving the Eagle Award of the Boy Scouts of America;

Victor
Chung.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Jason D. Kiesling on receiving the Eagle Award of the Boy Scouts of America;

Jason
Kiesling.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Liam O'Callaghan on receiving the Eagle Award of the Boy Scouts of America;

Liam
O'Callaghan.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Parker B. Ripley on receiving the Eagle Award of the Boy Scouts of America; and

Parker
Ripley.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Christian "Max" Schrader on receiving the Eagle Award of the Boy Scouts of America;

Christian
Schrader.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Nangle of Lowell, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Community Economic Development Assistance Corporation (see Section 6 of Chapter 40H of the General Laws) submitting the annual report of said corporation for the fiscal year 2016, was placed on file.

CEDAC,—
annual report.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Atkins of Concord, a petition (accompanied by bill, House, No. 3699) of Cory Atkins (by vote of town) that the town of Carlisle be authorized to recall certain elected officials of said town; and

Carlisle,—
elected
officials.

By Representatives Gentile of Sudbury and Peisch of Wellesley, a petition (accompanied by bill, House, No. 3700) of Carmine L. Gentile and Alice Hanlon Peisch (by vote of the town) that the town of Wayland be authorized to establish voting rights for permanent resident aliens;

Wayland,—
voting
rights.

Severally to the committee on Election Laws.

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 3701) of Dylan Fernandes (by vote of the town) that the town of Nantucket be authorized to designate the Nantucket Housing Authority as the agency authorized to create, administer and enforce Nantucket housing needs covenants. To the committee on Housing.

Nantucket,—
affordable
housing.

By Representative Pignatelli of Lenox and Senator Hinds, a joint petition (accompanied by bill, House, No. 3702) of William Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Great Barrington be authorized to establish an additional excise on sales of gasoline and diesel fuel. To the committee on Revenue.

Great
Barrington,—
fuel tax.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. DeCoste of Norwell, a petition (subject to Joint Rule 12) of David F. DeCoste and Douglas Thomson for legislation to exempt certain candidates from signing certain campaign finance affidavits.

Political
candidates,—
affadavits.

By Mr. Holmes of Boston, a petition (subject to Joint Rule 12) of Russell E. Holmes for legislation to establish a sick leave bank for Philippe Fauche, an employee of the Department of Mental Health.

Philippe
Fauche,—
sick leave.

Severally, under Rule 24, to the committee on Rules.

A petition (subject to Joint Rule 9) of Dylan Fernandes (by vote of the town) relative to the water supply in the town of Nantucket, was transmitted to the State Secretary under Chapter 3 of the General Laws.

Nantucket,—
water supply.

Papers from the Senate.

A Bill authorizing the city of Somerville to borrow funds to pay certain costs of the Green Line Extension (Senate, No. 1139) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Somerville,—
Green Line
extension.

A petition (accompanied by bill, Senate, No. 2067) of Bruce E. Tarr and Leonard Mirra (by vote of the town) for legislation to establish a town manager in the town of West Newbury, was referred, in concurrence, to the committee on Municipalities and Regional Government.

West
Newbury,—
town manager.

A report of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1176) of Cynthia S. Creem for legislation to make a technical changes to the Betsy Lehman Center for Patient Safety and Medical Error Reduction enabling statute,— and recommending the same be referred to the committee on the Health Care Financing,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Betsy
Lehman
Center.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of George C. Axiotis relative to the survivor benefits of George C. Axiotis. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

George
Axiotis,—
benefits.

By Mr. Brodeur of Melrose, for the committee on Labor and Workforce Development, asking to be discharged from further consideration:

Of the petition (accompanied by bill, House, No. 3150) of Kay Khan and others relative to wages for certain human service providers,— and recommending that the same be referred to the committee on Children, Families and Persons with Disabilities.

Human
services,—
wages.

Of the petition (accompanied by bill, House, No. 3140) of Michelle M. DuBois and others relative to payroll deductions for voluntary contributions to not-for-profit social welfare organizations and political action committees,— and recommending that the same be referred to the committee on Election Laws.

Payroll,—
deductions.

Of the petition (accompanied by bill, House, No. 2361) of Mike Connolly and others for legislation to repeal the prohibition on striking by public employees and public employee organizations,— and recommending that the same be referred to the committee on Public Service.

Public
employees,—
strike.

Of the petition (accompanied by bill, House, No. 3503) of Paul McMurtry and others for legislation to require gas stations to provide air compressors for free public use and establishing a hotline at the Department of Labor and Workforce Development for consumers to report non-compliance,— and recommending that the same be referred to the committee on Transportation.

Gas stations,—
air access.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill amending the charter of the town of Acushnet to eliminate the residency requirement for town administrator (see House, No. 1409) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

House Bills

Authorizing the town of Boylston to sell a portion of a certain town property (House, No. 1120); and

Relative to the conveyance of a certain parcel of land by the town of Deerfield (printed in House, No. 3670);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Third
reading
bills.

The House Bill authorizing the city of Lowell to use certain municipal land for school purposes (House, No. 3654, changed) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Lowell,—
land.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1.(a) The city of Lowell may use approximately 18.65 acres of land owned by the city located at 512 Clark road and 512.1 Clark road in the city of Lowell currently held as athletic fields and public space, hereinafter referred to as ‘Clark road fields,’ for the construction of a public high school and other school purposes. The land is described in deeds filed with the Middlesex county north registry of deeds in book 776, page 282, book 1661, page 343 and book 28537, page

243; provided, further that the land includes land extending into the town of Tewksbury.

(b) The city of Lowell may use approximately 3.7 acres of land owned by the city, including the entire parcel of property located at 438 Douglas road and a portion of the property located at 424 Douglas road and 392 Douglas road in the city of Lowell currently used as a parking lot for the Cawley stadium in the city of Lowell, hereinafter referred to as 'stadium parking land,' for the construction of new playing fields in connection with the school built pursuant to subsection (a). The land, respectively, is described in deeds filed with the Middlesex county north registry of deeds in: (i) book 943, page 425 and book 7471, page 347; (ii) book 859, page 20 and book 8268, page 9 and (iii) book 955, page 395 and book 2091, page 58.

(c) If a public high school is constructed at the Clark road fields, the recreational uses provided by the Clark road fields and the stadium parking land shall be replicated in full by the designation and, if necessary, the improvement of not less than 22.35 acres of land owned by the city of Lowell, currently held for municipal purposes, except those purposes protected by article 97 of the Constitution of the commonwealth for recreational uses equivalent with the current recreational use of the property described in subsections (a) and (b).

SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 3654, changed and amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At nineteen minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.